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IN THE

Supreme Court of the United States

OCTOBER TERM, 1975

No. 74-1608

THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, ET AL., *Petitioners*

v.

FEDERAL POWER COMMISSION

No. 74-1619

FEDERAL POWER COMMISSION, *Petitioner*

v.

THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, ET AL.

On Writs of Certiorari to the United States Court of Appeals for the District of Columbia Circuit

BRIEF OF THE INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA AS AMICUS CURIAE IN SUPPORT OF THE FEDERAL POWER COMMISSION

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BRIEF OF THE INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA AS AMICUS CURIAE IN SUPPORT OF THE FEDERAL POWER COMMISSION

The Interstate Natural Gas Association of America (INGAA), having obtained the consent of all parties pursuant to Rule 42 of this Court, hereby submits this brief as *amicus curiae* in support of the Federal Power Commission.

THE AMICUS

INGAA is a non-profit association whose members include most of the major interstate natural gas transmission companies subject to the jurisdiction of the Federal Power Commission (Commission) under the Natural Gas Act, 15 U.S.C. 717, *et seq.* Their operations account for more than 90% of the natural gas transported and sold annually in interstate commerce in the United States. INGAA has participated as an intervenor or *amicus curiae* before this Court and various U.S. Courts of Appeal in matters relating to Commission decisions affecting the natural gas industry. The instant proceedings present issues of industry-wide significance in which INGAA's members are vitally concerned.

THE INTEREST OF AMICUS

The instant proceedings involve questions as to the authority of the Commission with regard to the implementation of the equal employment opportunity legislation, including particularly Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, 42 U.S.C. 2000e. These proceedings originated by the filing with the Commission by the National Association for the Advancement of Colored People, *et al.* (NAACP) of a petition seeking the issuance of a rule by the Commission dealing with equal employment opportunities in the electric utility and natural gas industries. Each of these industries is subject to certain regulation by the Commission under the provisions of the Federal Power Act, 16 U.S.C. 791, *et seq.*, and the Natural Gas Act, 15 U.S.C. 717, *et seq.*, respectively.

Upon the appeal filed by the NAACP from the Commission's dismissal for lack of jurisdiction of the NAACP petition, the Court of Appeals rejected NAACP's claim and held the Commission did not have the power necessarily assumed in NAACP's proposed rule to engage in "regulation of employment discrimination for its own sake." (Pet. App., p. 27a).[1] However, the Court also ruled that as an incident to its jurisdiction over the costs of its regulatees, the Commission did have the "power to take into account, in the performance of its regulatory functions, including licensing and rate review, evidences that the regulatee is a demonstrated discriminator in its employment relations." (Pet. App. p. 8a).

It is apparent that INGAA is deeply interested in these holdings of the Court of Appeals insofar as they relate to the natural gas transmission companies subject to Commission regulation under the Natural Gas Act. It is to these facets of the holdings of the Court of Appeals that INGAA addresses this *amicus* brief.[2]

ARGUMENT

In order to place the problem here involved in proper context at the outset, it is appropiate to point out that INGAA, along with various companies constituting its membership, joins in the recognition of the im-

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[1] References to the opinion of the Court of Appeals are to the Appendix to the petition filed by the Commission in No. 74-1619.

[2] The Court's complete discussion of the various materials relevant to NAACP's primary position is wholly dispositive and makes further discussion thereof by INGAA unduly repetitious. Consequently, INGAA limits this brief to the Court's holding that the Commission has authority to consider employment discrimination as part of its authority to disallow illegal or unnecessary costs.

portance accorded by the nation at large to the need to provide equal employment opportunities for all men and women regardless of their race, color, religion or national origin. Further, INGAA understands that substantial progress has been and is being made by the natural gas companies to the end of implementing the salutary objectives of eliminating any such discrimination.

However, the problem here is not concerned with the existence *vel non* of discriminatory employment practices among the natural gas companies.[3] Rather, the question here relates to the method adopted by Congress for the elimination of such discriminatory employment practices as might exist in that segment of the natural gas industry. Specifically the question here is solely a "legal one," whether, and if so to what extent, Congress intended for the Federal Power Commission, *as well as* the agencies specifically designated by Congress, to be responsible for enforcing the equal employment opportunity legislation as far as the natural gas industry is concerned.

The holding of the Court of Appeals that Congress intended for the Federal Power Commission in addition to the agencies specifically designated by it to implement equal employment legislation *vis a vis* natural gas companies through its authority over excessive or

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[3] INGAA notes that the allegations by NAACP are based on a study made in 1970 and 1971, nearly 5 years ago. Much has happened since that time. Moreover, the NAACP statistics do not distinguish between the natural gas companies which operate on the wholesale level, on the one hand, and the distributors of natural gas which operate on the local retail level, on the other, whereas the Commission's jurisdiction in any case, is limited to the wholesale natural gas companies.

improper costs incurred by such companies overlooks the limitations upon the Commission's authority with regard to the allowance *vel non* of a natural gas company's costs. Such holding, if accepted, would greatly expand the Commission's responsibilities far beyond their intended scope and expertise and unduly complicate and prolong the Commission's already complicated and prolonged administrative proceedings.

THE COURT OF APPEALS ERRED IN HOLDING THAT THE FPC HAS JURISDICTION TO CONSIDER ALLEGED VIOLATIONS OF EQUAL EMPLOYMENT LEGISLATION AS AN INCIDENT TO ITS AUTHORITY TO DENY RECOVERY OF ILLEGAL OR IMPROPER COSTS.

As noted earlier herein, the Court of Appeals recognized that Congress did not intend to vest the Federal Power Commission with any direct responsibility in the implementation of equal employment legislation:

> "Congress has not charged the Commission with advancing *all* public interests, but only the public interest in having the particular mandates of the Commission carried out, its interest, in other words, in the conservation of natural resources and the enjoyment of cheap and plentiful electricity and natural gas." (emphasis in original) (Pet. App. p. 19a)

It follows, we submit, that the Commission also does not have jurisdiction to take action with regard to employment discrimination in the so-called "narrower sense" (Pet. App. p. 25a), contemplated by the Court of Appeals.

According to that Court, however, the Commission's jurisdiction extends to all matters "reasonably related to the pursuit of the Commission's proper objectives,"

i.e., as part of its "task of seeing that no unnecessary or illegitimate costs are passed along to [the] consumer" (*Ibid*). Since employment discrimination may affect the costs incurred by a natural gas company, the Court held that it could "foresee situations in which consideration by the Commission of a regulatee's discriminatory employment practices including rules governing the invocation of that consideration could be reasonably related to the pursuit of the Commission's proper objective." (Pet. App. p. 25a). But in so holding, the Court of Appeals not only disregarded the thrust of its own contemporaneous holding but it failed to comprehend the limitations upon the Commission's jurisdiction with regard to the exclusion of "unnecessary or illegitimate costs" from a company's costs of service.[4]

A. FPC's Jurisdiction Over Costs Excludes Authority Over the Incurrence of Costs and Relates Only to Pass Through of Costs Incurred

In contrast to prices charged by a natural gas company for sales subject to the Commission's jurisdiction over which the Natural Gas Act expressly vests the Commission with direct jurisdiction, the Natural Gas Act makes no provision for the Commission's having jurisdiction over the costs incurred by the natural gas company in connection with such sales. Whatever

[4] While the Court held that questions as to the disallowance of illegitimate or unnecessary costs could "arise in any number of different regulatory contexts, including both rate and certificate proceedings" (Pet. App. p. 26a), the fact of the matter is that cost problems in the sense of exclusion from cost of service arise principally, if not exclusively, in rate proceedings. Accordingly, the discussion in the text is framed in terms of rate proceedings, with the understanding that it also extends to certificate proceedings as well where applicable.

authority the Commission has over costs, it is at best indirect and stems from the long-established and well recognized common law principle that in matters pertaining to costs incurred by a regulated enterprise, all costs incurred typically are to be allowed unless clearly shown to have been incurred as a result of impropriety or illegality on the part of management. In the oft-cited case of *State of Missouri ex rel Southwestern Bell Telephone Co.* v. *Public Service Commission,* 262 U.S. 276, 289 (1923), this Court articulated the rule as follows:

> "* * * It must never be forgotten that, while the State may regulate with a view to enforcing reasonable rates and charges, it is not the owner of the property of public utility companies, and is not clothed with the general power of management incident to ownership. The applicable general rule is well expressed in State Public Utilities Commission ex rel. Springfield v. Springfield Gas Electric Co., 291 Ill. 209, 234, 125 N.E. 891, 901:
>
> > 'The Commission is not the financial manager of the corporation, and it is not empowered to substitute its judgment for that of the directors of the corporation; nor can it ignore items charged by the utility as operating expenses, unless there is an abuse of discretion in that regard by the corporate officers.' "

Justice Brandeis set forth the criteria for substituting regulatory judgment for the decisions of management in his concurring opinion in the *State of Missouri* case as follows (*Id* at 289):

> "The term 'prudent investment' is not used in a critical sense. There should not be excluded, from the finding of the base, investment which, under ordinary circumstances, would be deemed rea-

> sonable. The term is applied for the purpose of excluding what might be found dishonest or obviously wasteful or imprudent expenditures. Every investment may be assumed to have been made in the exercise of reasonable judgment, unless the contrary is shown."

See, also *e.g., West Ohio Gas Co.* v. *Public Utilities Commission,* 294 U.S. 63, 72 (1935).

In addition to thus being indirect, the Commission's authority over costs is further restricted not only to costs already incurred but to the disallowance of excessive or improper costs through exclusion from the cost of service used as the basis for determining the company's allowable just and reasonable rates under the Act. Thus, although the Commission fixes rates for the future under Section 5(a) of the Natural Gas Act, 15 U.S.C. 717d(a), and for the future as well as the past under Section 4(d), 15 U.S.C. 717c(d), it historically has based such determinations upon past experience with some adjustment for changes which are expected to occur in the near term future. As stated many years ago in *Mississippi River Fuel Co.* v. *F.P.C.*, 163 F.2d 433, 437 (D.C. Cir. 1947):

> "* * * Expenses (using that term in its broad sense to include not only operating expenses but depreciation and taxes) are facts. They are to be ascertained, not created, by the regulatory authorities. If properly incurred, they must be allowed as part of the composition of the rates. Otherwise, the so-called allowance of a return upon the investment, being an amount over and above expenses, would be a farce."

The Commission's authority with respect to costs, accordingly, does not extend to the incurrence of costs

as such. Unlike its control over rates charged, the Commission has no say or authority over the costs actually incurred by a natural gas company and may neither direct or forbid the incurrence of any actual cost by a natural gas company. The Commission's sole authority is to allow, or to refuse to allow, the company to pass on all or part of the costs incurred by its management in the rates charged to its customers.

Such limited authority with respect to a natural gas company's costs clearly does not extend to the affirmative actions *vis a vis* employment discrimination apparently envisioned by the Court of Appeals (see Pet. App. pp. 25a-26a). In other words, the Commission's authority over costs does not extend to requiring a regulatee to refrain from engaging in discriminatory practices and thereby not to incur the unnecessary or illegitimate costs which may result therefrom. Rather, the Commission is in the situation of being confronted with a *fait accompli* and its only authority extends to disallowing the unnecessary or illegitimate costs incurred by the company resulting from its improperly engaging in employment discrimination.

B. FPC's Jurisdiction Over Costs Does Not Include Consideration of Whether a Natural Gas Company Is Engaged in Discriminatory Employment Practices

The Court of Appeals' holding that since employment discrimination by a natural gas company may result in unnecessary or illegitimate costs to the company, the Commission has jurisdiction over such employment discrimination by virtue of its authority to disallow improper or excess costs is unsound for still another reason. That is that the Court of Appeals jumps from the fact that the Commission has authority to decline to permit a company to recoup unnecessary

or illegitimate costs in rates, to the conclusion that such authority also embraces consideration of whether the company is engaged in practices which could result in such unnecessary or illegitimate costs.

Such reasoning by the Court is a complete *non sequitur*. While the Commission may disallow any illegal or improper costs found to be incurred in connection with employment discrimination, not only does the Commission's authority over costs not extend to the Commission itself making a determination whether or not the company is in fact engaged in employment discrimination, but it would inject the Commission into areas far beyond any in which it has been with respect to the other statutes to which natural gas companies are also subject.[5]

Indeed, in light of the Pandora's box which would be opened if the Commission's limited indirect authority over costs were to be expanded to include consideration of whether the company was in violation of any of the numerous statutes to which it was subject and thereby might incur unnecessary or illegitimate costs, it has long been accepted without question that the line on such Commission authority has to be drawn so as to exclude consideration therefrom of whether the regulatee was engaged in conduct violating the statutes to which it was subject.

Natural gas companies subject to Commission regulation under the Natural Gas Act are also corporate business entities subject to numerous federal and state

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[5] The discussion in the text is directed at statutes which, like the equal employment legislation, are unrelated to the economic objectives of the Natural Gas Act. The situation is, of course, different as to statutes with economic objectives related to those of the Natural Gas Act. See Pet. App. pp. 19a-20a.

laws, as well as the equal employment legislation, which have no relationship to the economic objectives of the Natural Gas Act other than a violation thereof may result in subjecting the company to illegal or improper costs. For example, natural gas companies, like the remainder of the business community, are subject to the Fair Labor Standard Act (29 U.S.C. 201, *et seq.*), the National Labor Relations Act (29 U.S.C. 151, *et seq.*), the Labor-Management Relations Act (29 U.S.C. 141, *et seq.*), the Labor Management Reporting and Disclosure Act (29 U.S.C. 401, *et seq.*), and the Occupational Safety and Health Act (29 U.S.C. 651) to name but a few in the field of federal labor relations alone.

In addition, such companies are subject, *inter alia,* in the federal area to the Securities Act (15 U.S.C. 77a, *et seq.*) and the Securities and Exchange Act (15 U.S.C. 78a, *et seq.*) with regard to the various types of securities issued by them, the Pipeline Safety Act (49 U.S.C. 1671, *et seq.*) with regard to the construction and maintenance of pipeline systems, the Federal Communications Act (47 U.S.C. 151, *et seq.*) with regard to private microwave systems and the various provisions of the Internal Revenue Code (26 U.S.C. 1, *et seq.*) with regard to their reporting income and paying taxes thereon. Finally, of course, such companies are subject to various laws of the states traversed by their pipeline systems, and in the case of some major pipelines, the number of states thus traversed runs into double digits.

Each of the requirements imposed upon natural gas companies by the numerous federal and state statutes in addition to the equal employment opportunity legislation to which they are subject, gives rise to a possi-

bility of violation thereof by a natural gas company. Such violation potentially results in the incurrence of costs which would otherwise not have been incurred at all and such additional costs are subject to disallowance by the Commission from cost of service in fixing the natural gas company's rates. Accordingly, it would follow, under the reasoning adopted by the Court of Appeals, that the Commission's authority over costs under the Natural Gas Act extends as well to determining whether the company has violated any of the various other laws or statutes to which it is subject and hence whether it thereby incurred improper or excessive costs to be disallowed in the company's cost of service for ratemaking purposes.

Since the Court of Appeals' reading of the Commission's authority would thus inject the Commission into consideration of numerous other laws to which natural gas companies, along with other business enterprises, are subject as corporate entities in the business community, it is apparent that such a reading would blow up the Commission's authority over costs from its limited common law scope to embrace most aspects of a natural gas company's compliance with the various federal and state statutes to which it also is subject. Such a result would impose a burden upon the Commission wholly disproportionate to its importance as compared to the Commission's primary responsibility of fixing just and reasonable rates.

To avoid such consequences, it has been accepted by tacit agreement and as a matter of course that the Commission's authority over the costs of a natural gas company does not extend to determining whether the natural gas company violated any of these other laws and

thereby incurred improper or illegal costs. To the contrary, it has been accepted that such determination be made in the first instance by the agency specifically charged by Congress with the primary responsibility for the administration and enforcement of the particular statute involved.

Once such a determination is made, the Commission is in a position to discharge its responsibilities to its ultimate consumers by excluding from the company's cost of service any illegal or unnecessary costs incurred by the company as a result of the violation as determined by the responsible agency. In this way, the responsible agency is able to discharge the responsibilities with which it is directly charged by Congress and as to which it has developed the requisite expertise, on the one hand, and the Commission is able to discharge its responsibilities with regard to rates without injecting itself into areas unrelated to the primary economic objectives of the Natural Gas Act.[6]

By the same token, we submit, the Commission's authority over costs does not extend to determining whether a natural gas company has engaged in discriminatory employment practices and thereby incurred illegal or improper costs subject to disallowance under such Commission authority. As recognized by the Court of Appeals (Pet. App. p. 21a):

> "In * * * specifically legislating in the area of equal employment opportunities, Congress did not

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[6] Although conceptually such an approach permits some situations in which the company may still incur illegal or improper costs which in fact would not be disallowed, such an approach accords with practicalities by recognizing that the additional expenditures in time and money which would be required of the Commission to eliminate all such situations would be wholly out of proportion to the additional benefits to be derived therefrom.

> * * *, in the manner of NEPA, explicitly enjoin every federal agency to concern itself with discrimination; to the contrary, it centralized responsibility for such matters in the Equal Employment Opportunity Commission. * * *"

Consequently, as with other statutes not having any direct nexus to the economic objectives of the Natural Gas Act, determinations as to violations of the equal employment opportunity laws by natural gas companies should be required to be made in the first instance by the agencies in which Congress has centralized responsibility for such matters. Should these agencies determine that a natural gas company violated the equal employment opportunity legislation, it would then be within the Commission's jurisdiction to disallow or exclude any illegal or unnecessary costs incurred by the company as a result of such violation from its cost of service for the purpose of determining its jurisdictional rates.

Patently, therefore, the Court of Appeals was confused as to the nature of the Commission's authority over the costs incurred by a natural gas company subject to its jurisdiction under the Natural Gas Act, with the result that it erred in ruling that as an incident to such authority the Commission could take affirmative actions to prevent discriminatory employment practices by such companies.

C. The Commission Does Not Have the Expertise Required To Pass on Alleged Violations of the Equal Employment Opportunity Legislation

In rejecting the NAACP's claim that the Commission has broad jurisdiction with respect to the implementation of equal employment opportunity legislation,

the Court of Appeals below specifically recognized (Pet. App. p. 9a):

> "* * * Congress may have felt that other significant goals would be inadequately served if the attentions of the agencies set up to pursue them were divided. The Commission's principal task of passing on statutorily specified license and rate applications is prodigious.[5] To perform it, a staff has been built up of specialists in the technical aspects of gas and electric power production and distribution. The unfamiliar problems of employment discrimination regulation might divert an inordinate amount of their energies and skills from the ends to which these are most productively applied.

"[5] The dimensions of the task are suggested by a partial list of applications to, and actions by, the Commission during fiscal 1973: 56 wholesale electric rate increase applications; 11 electric company sale and consolidation applications (all disposed of); 75 electric company securities issuance applications (all disposed of); 116 electric power project license and permit applications (90 disposed of, leaving 529 pending); 215 pipeline rate increase applications; 280 pipeline construction certificate applications (212 disposed of, leaving 214 pending); 6,844 gas producer rate increase applications; 1,383 gas producer certificate applications (955 disposed of, leaving 2,059 pending); 216 gas producer abandonment applications (171 disposed of, leaving 287 pending). FPC, 1973 ANNUAL REPORT 19, 20, 41, 56, 58, 59, 60 (1973)."

However, in holding that the Commission has authority to consider alleged violations of the equal employment opportunity legislation as part of its authority to disallow illegal or excess costs in determining rates for natural gas companies, the Court of Appeals injected issues in Commission proceedings which not only will involve the Commission "staff * * * of specialists in the technical aspects of gas * * * production and distribution" in "unfamiliar problems of employ-

ment discrimination regulations [which] might divert an inordinate amount of [the Commission Staff's] energies and skills * * *" but will extend and prolong the Commission's already extended and prolonged rate proceedings.

For example, notwithstanding the Court's description of the jurisdiction which it held to exist in the Commission to be in the "narrower sense," it is clear that as envisioned by the Court of Appeals, the exercise of such jurisdiction by the Commission would get the Commission into complicated areas which are completely foreign to its expertise. Thus, while holding that the Commission is without jurisdiction to adopt certain of the provisions contained in the rule proposed by NAACP, the Court nevertheless suggested that (Pet. App. p. 31a):

> "* * * those sections providing for the annual filing with the Commission of a form already due the EEOC (section 6) and for intervention and receipt of evidence in Commission proceedings (sections 10 and 11), might well be viewed as orderly methods of bringing to the Commission's attention information which could be relevant to its deliberations in the ways described in Part II of this opinion."

Reference back to Part II of the Court's opinion (Pet. App. p. 25a) discloses the following listing by the Court of costs which it regarded as being "actually within the Commission's range of concern" (*Ibid*):

> "(1) duplicative labor costs incurred in the form of back pay recoveries by employees who have proven that they were discriminatorily denied employment or advancement, (2) the costs of losing valuable government contracts terminated because

> of employment discrimination (footnote omitted), (3) the costs of legal proceedings in either of these two categories, (4) the costs of strikes, demonstrations, and boycotts aimed against regulatees because of employment discrimination, (5) excessive labor costs incurred because of the elimination from the prospective labor force of those who are discriminated against, and (6) the costs of inefficiency among minority employees demoralized by discriminatory barriers to their fair treatment or promotion."

Examination of the costs thus listed indicates, we submit, that evaluation of evidence submitted with regard thereto would inject the Commission and its Staff into areas which are not only far outside their expertise but are extremely difficult of resolution even for those who are directly charged with the enforcement of the equal employment opportunity legislation and who, accordingly, presumably have the requisite expertise.

The Court below itself expressly recognized some of the difficulties inhering in the problems, which its holding called upon the Commission to deal with. For example, immediately following the above listing of various costs potentially subject to disallowance, the Court below expressly observed (Pet. App. p. 26a):

> "Obviously, such costs of employment discrimination range from the very definite and easily ascertainable to the very questionable and virtually unquantifiable."

Further, the Court below noted (Pet. App. p. 27a):

> "There is the potentially quite complex question of which costs associated with employment discrimination litigation will and will not be disallowed."

And again the Court recognized (*Ibid*):

> "The line is always to be drawn between regulation reasonably related to the Commission's actual functions and regulation of employment discrimination for its own sake. The line may well be difficult to draw on occasion. * * *"

Finally, the November 11, 1975 issue of the Wall Street Journal contains an extensive article dealing with the federal contract phase of enforcement of the equal employment opportunity legislation, in which there are highlighted some of the difficulties of reaching agreement encountered by those with direct responsibility therefor as to proper implementation of even this limited phase of the program. As summarized in the Wall Street Journal (p. 1):

> "* * * employers despair of ever receiving clear and consistent regulations explaining their obligations to hire minorities and women. A large manufacturing concern that deals with the Energy Research and Development Administration and the Defense Department complains that it hasn't yet had a government review in which the inspector 'didn't ask for statistics in a form different from that sought by any other reviewing officier.'
>
> "Federal officials snipe at one another for failing to agree on uniform policies for hiring and promotion by private employers. Proposed guidelines for employer testing of employees have been debated for three years by the Labor Department, the Justice Department, the Equal Employment Opportunity Commission and the Civil Service Commission.
>
> "And Congress openly wonders what the federal government is getting for the $39 million it will spend this year policing the hiring practices of

companies and institutions doing business with the government. * * *"

In light of the great difficulties thus being encountered among those with direct responsibility and expertise for the implementation of the equal employment opportunity legislation in reaching agreement as to the appropriate methods to enforce that legislation, it is apparent that the Court of Appeals' holding in effect adding the Commission as another on the list of agencies to have responsibilities with respect to such legislation can only serve to enhance the difficulties already being encountered in reaching agreement as to implementation of the legislation. In addition, since many of the basic problems with regard to that legislation are still undecided and the subject of continuing controversy among the agencies directly responsible, the Court of Appeals' holding would inevitably operate to engender heated controversies with respect to those matters when put in issue in Commission proceedings. The result would be not only to prolong and complicate the Commission's already prolonged and complicated proceedings but also to embroil the Commission in extended litigation before the courts with respect to matters as to which it has little, if any, expertise and as to which it has not been charged by Congress with direct enforcement responsibilities.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that this Court should set aside the holding of the Court of Appeals that as an incident to its jurisdiction over the costs incurred by natural gas companies subject to regulation under the Natural Gas Act, the Federal Power Commission has authority to consider evidence that such companies have engaged in discriminatory employment practices.

Respectfully submitted,

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